

## REMARKS

This is in response to the Office Action of June 18, 2003, stating that Applicant's 4-7-2003 reply was not fully responsive and requesting an election of a species of anionic step growth polymer as listed in claims 8, 14, and 30.

It is presently unclear to Applicants what is being considered the species of the claimed invention. The Office Action of 12-10-2002 required the Applicant to elect a specific species of the claimed invention by identifying both a cationic polymer from the group listed on page 2, lines 26-32 of the disclosure and an anionic polymer from the group listed in claims 8, 14, and 30 as a single defined species of the present invention.

Applicants first note that generic claim 1 includes the following anionic polymers: step growth polymers, polysaccharides and naturally occurring aromatic polymers and modifications thereof. Claim 8, dependent upon claim 1, discloses a listing of anionic polymers including both anionic step growth polymers and anionic naturally occurring aromatic polymers. Claim 14 discloses anionic polymers having one or more aromatic groups as further described in (ii). No other listing of anionic polymer species members is found in claim 14. Claim 30 discloses anionic polyurethane as described in (ii). No other listing of anionic polymer species members is found in claim 30.

As noted above, the election requirement received 12-10-2002 required the Applicant to elect a species of "anionic polymer from the group listed in claim 8, 14 and 30". This was done by electing anionic step growth polymers from what was believed to be the group listed in such claims. There was no previous election requirement to elect a species of "anionic step growth polymer, which members are listed in claims 8, 14, and 30" as now being required. As such, Applicants submit that their reply of 4-7-2003 was fully responsive to the Office Action of 12-10-2002 and also request further clarification of what is being considered the patentably distinct species of the claimed invention.

As best understood by the Applicants at this time, the Office Action requires a specific polymer to be elected from the specific anionic step-growth polymers listed in claim 8. Thus, Applicants provisionally elect, with traverse, a species of anionic step growth polymer directed to naphthalene sulphonate based condensation polymers for prosecution on the merits. It is believed that claims 1, 2, 4-6, 8, 10-19, 22, 24-29, and 37-43 read upon the species provisionally elected through Applicants 4-13-03 response and the present response.


The election requirement, as it presently relates to a species of anionic step growth polymer is further transversed because it is believed that a search and examination of all the species of anionic polymers, and more specifically of anionic step-growth polymers, at one time would not impose a serious burden on the Patent Office. It is respectfully requested that the instant election/restriction be removed.

In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that the Examiner deems a call desirable:

Michelle J. Burke

(914) 674-5459

Respectfully submitted,

  
Michelle J. Burke  
Reg. No. 37,791  
Attorney for Applicant

Akzo Nobel Inc.  
Intellectual Property Dept.  
7 Livingstone Avenue  
Dobbs Ferry, NY 10522-3408